

ABC LAW NOTICE SHEET

Commonwealth of Kentucky
Department of Alcoholic Beverage Control
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*These are the most commonly violated ABC laws.
This document does not contain the complete text provided by statute and is intended as a reference tool.*

*You may review these laws in full detail at <http://www.lrc.state.ky.us/KRS/241-00/CHAPTER.HTM>
Also visit ABC's Web site and link to ABC laws and regulations <http://abc.ky.gov/>*

SUBJECT	LAWS	BRIEF DESCRIPTION
ABC CATERERS	KRS 243.033	An ABC licensed caterer may transport, sell, serve, and deliver alcoholic beverages by the drink at locations in wet territory away from the caterers' licensed premises or at the caterers' designated banquet hall in conjunction with the catering of food and alcoholic beverages for a customer and his or her guest.
BARS – SUPPLEMENTAL BARS	KRS 244.330 KRS 243.037 KRS 241.020 Section (49)	One bar is allowed per liquor drink license. Adding bars to your business requires obtaining Supplemental Bar Licenses. These statutes do not restrict extra beer only bars. Definition of a supplemental bar means a bar, counter, shelving, or similar structure used for serving and selling distilled spirits and wine by the drink for consumption on the licensed premises to guests and patrons from additional locations other than the main bar. A supplemental bar shall be continuously constructed and accessible to patrons for distilled spirits and wine sales or service without physical separation by walls, doors, or similar structures.
BEER SOLD BY 18 YEAR OLDS	KRS 244.087	Persons 18 or 19 years of age may stock , arrange displays, and sell malt beverages by the package in a grocery store or gas station if supervised by a person 20 years or older.
BUYING INVENTORY	KRS 244.060	ABC retail licensees SHALL purchase all alcoholic beverages from KY. licensed liquor and wine wholesaler or beer distributor.
CASH SALES	KRS 244.300	Retail sales of liquor and wine may be sold for cash , check, gift card, or nationally recognized bank credit card. A licensee, his employees, servants, or agents may not extend personal credit to the public. Holders of Private Club ABC Licenses are exempt. Beer is not included in this restriction.
CLEAR VIEW	KRS 244.110	Entrance to any retail licensed premises shall be of clear glass and permit an unobstructed view.
DELIVERIES PROHIBITED	KRS 243.250 KRS 244.350	Liquor drink licensees may not deliver alcoholic beverages away from their ABC premises. Package liquor stores may not deliver alcoholic beverages away from their ABC premises.
DISORDERLY PREMISES	KRS 244.120	No person licensed to sell alcoholic beverages at retail shall cause, suffer, or permit the licensed premises to be disorderly.
EMPLOYEES PROHIBITED	KRS 244.090	Persons the licensee may NOT employee with duties for the sales and service of alcoholic beverages. (a) A person convicted of any felony within the last 2 years. (b) Any person that has 2 or more convictions of any misdemeanor or offense directly or indirectly attributable to the use of alcoholic beverages. (c) Is under the age of 20 unless. (See section (c) of this statute for a list of exemptions) (d) A person who has had an ABC license revoked within the last 2 years.
FREE ALCOHOL PROHIBITED	KRS 244.050	With a very few exceptions you may not give alcoholic beverages away on your premises, unless this practice is approved under certain licenses, such as a small farm winery, sampling licenses, microbrewery license or educational tasting sessions.
GAMBLING	KRS 243.500 KRS 243.505	Gambling is prohibited on ABC licensed premises, unless the activity is licensed by the Kentucky Lottery, the Kentucky Racing Commission for pari-mutuel betting, or the Office of Charitable Gaming.
LICENSE NUMBER LICENSEE NAME TO BE PRINTED ON ENTERANCE	KRS 244.360 804 KAR 7:050	Licensee's name and state license number(s) to be printed on front entrance of premises in uniform letters not less than 3" (inches) high. As an example. 056-LD-222 056-B-2139 John Doe, Inc.
LICENSE REQUIRED	KRS 243.020	Proper license(s) required to traffic in alcoholic beverages.
MINORS ALCOHOL SALES PROHIBITED	KRS 244.080	Sales of alcoholic beverages are prohibited to any person under the age of 21 , a person actually or apparently under the influence of alcoholic beverages, a person known to the seller or server as of drunkard, convicted felon, or someone convicted of a law regarding the use of alcoholic beverages.

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MINORS IN BARS PROHIBITED	KRS 244.085	People under the age of 21 may not purchase or attempt to purchase alcoholic beverages. People under the age of 21 <u>may not remain</u> on drink or package alcoholic beverage licensed premises unless exempt in section (6) of this statute. Some examples of these exemptions are usual and customary business of the establishment is a restaurant, hotel, motel, convention center, church, school, park, fair, golf course, private club, and theaters.
POLICE POWERS INVESTIGATORS	KRS 241.090	ABC Enforcement Personnel have (a) Full police powers - statewide jurisdiction, (b) Power to inspect any ABC licensed premises, (c) Power to confiscate any contraband property.
POST LICENSES	KRS 243.620	License(s) to be posted in a conspicuous place or principal room where the business is carried on.
RECORDS TO BE KEPT	KRS 244.150 804 KAR 4:100	Licensee shall keep or make readily available adequate records of all transactions involved in the manufacture or sale of alcoholic beverages for at least 2 years. In addition, restaurants and caterers are required to keep all food purchases and sales records.
SIGNS – POSTED MUST BE 21 TO ENTER BARS	804 KAR 5:070	Bars are required to post a "Persons under 21 may not remain on these premises" sign.
SIGNS – POSTED DRINKING ALCOHOL DURING PREGNANCY	KRS 243.895	All licensed retail vendors of alcoholic beverages shall post in a prominent place a sign Warning or Drinking Alcohol During Pregnancy.
SIGNS – POSTED WARNING TO MINORS	KRS 244.083	Every retail licensee shall post at all times in a prominent place a Warning to Minors sign.
SUNDAY SALES ELECTION DAY SALES	KRS 244.290 KRS 244.295 KRS 244.480	Closing times - Sunday Sales - Election Day hours for liquor and wine... Closing times - Sunday Sales - Election Day hours for beer.
TRANSFER OF LICENSE PROHIBITED	KRS 243.630	Transfer of any ABC license or permitting others to use your license without ABC approval is prohibited.
TOBACCO EMPLOYEES SIGN STATEMENT	KRS 438.325	Before allowing employees to sell tobacco products the owner of the retail establishment shall have each employee sign a statement "I understand that under the law of the Commonwealth of KY it is illegal to sell or distribute tobacco products to persons under the age of 18 years and that it is illegal for persons under the age of 18 years to purchase tobacco products."
TOBACCO SHALL BE 18 TO BUY	KRS 438.311	It is illegal for a person under 18 to buy or attempt to buy tobacco products.
TOBACCO SHALL BE 18 TO POSSESS	KRS 438.350	It is illegal for a person under 18 to possess or use tobacco products.
TOBACCO SHALL NOT BE SOLD TO UNDER 18	KRS 438.310	It is illegal to sell tobacco products to anyone under 18 years of age.
TOBACCO SHALL BE 18 TO BUY FROM VENDING MACHINE	KRS 438.315	It is illegal for a person under 18 to buy tobacco from a vending machine.
TOBACCO SIGNS POSTED	KRS 438.310	Any person selling tobacco shall post a sign in their store in a conspicuous place stating it is illegal to sell tobacco to people under 18. If you sell tobacco, you shall require proof of age from the prospective buyer or recipient if you have reason to believe they appear to be under 18.